

1 THE HONORABLE MARSHA J. PECHMAN

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7 **UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON**

8 BOARD OF TRUSTEES OF THE  
9 EMPLOYEE PAINTERS' TRUST, *et al.*,

10 Plaintiffs,

11 vs.

12 EAGLE INDUSTRIAL PAINTING, LLC, *et al.*,

13 Defendants.

CASE NO.: 2:21-cv-00598-MJP

**FIRST STIPULATED MOTION AND  
ORDER TO EXTEND DEADLINE TO  
RESPOND TO COMPLAINT AND  
OTHER CASE DEADLINES**

**NOTE ON MOTION CALENDAR:**

14 The Plaintiffs, the Board of Trustees of the Employee Painters' Trust, *et al.* (collectively,  
15 "Plaintiffs"), and the Defendants, Eagle Industrial Painting, LLC, Steve Zoumberakis, Old  
16 Republic Surety Company, and International Fidelity Insurance Company (collectively,  
17 "Defendants"), each acting by and through their undersigned counsel, hereby stipulate as follows:

18 **RECITALS**

19 A. WHEREAS, the Complaint in this matter was filed on May 4, 2021 [ECF No. 1];

20 B. WHEREAS, this matter has not been scheduled for trial and there are no motions  
21 currently pending before the Court;

22 C. WHEREAS, on June 7, 2021, the Court issued its Order Regarding Initial  
23 Disclosures, Joint Status Report, and Early Settlement [ECF No. 7] ("Initial Scheduling Order"),  
24 setting the following dates for initial disclosure and submission of the Joint Status Report and  
25 Discovery Plan:

**FIRST STIPULATED MOTION TO  
EXTEND DEADLINE TO RESPOND  
TO COMPLAINT AND OTHER CASE  
DEADLINES**

Case No. 2:21-cv-00598-MJP

- 1           i.       Deadline for FRCP 26(f) Conference: 7/6/2021;  
2           ii.       Initial Disclosures Pursuant to FRCP 26(a)(1): 7/12/2021; and  
3           iii.       Combined Joint Status Report and Discovery Plan as Required by FRCP  
4           26(f) and Local Civil Rule 26(f): 7/19/2021;

5           D.       WHEREAS, all Defendants have been served with a copy of the Summons and  
6           Complaint [ECF Nos. 9, 10, 14 & 15];

7           E.       WHEREAS, Notices of Appearance have been filed for each Defendant [ECF Nos.  
8           8, 11 & 13];

9           F.       WHEREAS, a copy of the Initial Scheduling Order was provided to counsel for  
10          Defendants by Plaintiffs' counsel;

11          G.       WHEREAS, the Defendants have not filed an answer or responsive pleading;

12          H.       WHEREAS, counsel for Plaintiffs and Defendants have had initial conferences  
13          regarding this matter and all agree that early settlement is likely and in the best interests of all  
14          parties;

15          I.       WHEREAS, Plaintiffs and Defendants have begun informally exchanging  
16          documents to further the possibility of settlement; and

17          J.       WHEREAS, Plaintiffs and Defendants desire to extend the Defendants'  
18          responsive pleading deadline and other deadlines in this matter to allow time for the parties to  
19          explore settlement before significant fees and costs are incurred.

20          NOW, THEREFORE, Plaintiffs and Defendants hereby stipulate and move the Court as  
21          follows:

22          1.       Plaintiffs and Defendants hereby move the Court for an extension of all  
23          Defendants' deadlines to answer or otherwise respond to the Complaint to August 6, 2021.

24          2.       Plaintiffs and Defendants propose that the other deadlines set in the Initial  
25          Scheduling Order be extended as follows:

**FIRST STIPULATED MOTION TO  
EXTEND DEADLINE TO RESPOND  
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DEADLINES**

Case No. 2:21-cv-00598-MJP

- 1 a. Deadline for FRCP 26(f) Conference: 8/6/2021;  
2 b. Initial Disclosures Pursuant to FRCP 26(a)(1): 8/13/2021; and  
3 c. Combined Joint Status Report and Discovery Plan as Required by FRCP  
4 26(f) and Local Civil Rule 26(f): 8/20/2021.
- 5 3. This is the first request for an extension of time to file responsive pleadings or for  
6 any case deadlines and is not requested to cause delay or for any other improper purpose.

7 DATED this 12th day of July, 2021.

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19 **ORDER**

- 20 1. The Court extends all Defendants' deadlines to answer or otherwise respond to the  
21 Complaint to August 6, 2021.
- 22 2. The other deadlines set in the Initial Scheduling Order are extended as follows:
- 23 a. Deadline for FRCP 26(f) Conference: 8/6/2021;  
24 b. Initial Disclosures Pursuant to FRCP 26(a)(1): 8/13/2021; and  
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c. Combined Joint Status Report and Discovery Plan as Required by FRCP  
26(f) and Local Civil Rule 26(f): 8/20/2021.

**SO ORDERED.**

DATED JULY 13, 2021.



Marsha J. Pechman  
United States Senior District Judge

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